



**DEPARTMENT OF FAIR EMPLOYMENT
AND HOUSING
ENFORCEMENT DIVISION
*DIRECTIVE***

**DIRECTIVE
NUMBER
200**

**DISTRIBUTION
DATE
October 1, 1998**

1. **SUBJECT: COMMUNICATION CENTER**
2. **PURPOSE:** To set forth the procedures and activities of the Department of Fair Employment and Housing's (DFEH) Communication Center, including intake appointment screening.
3. **BACKGROUND:** The Communication Center, located in Headquarters in Sacramento, was established in 1993. It consists of a centralized telephone bank; a computerized answering system; Communication Center Representatives who screen prospective complainants and set appointments or make referrals to other agencies as appropriate; and journey level Consultants who respond to the complex technical questions regarding the enforcement of the Fair Employment and Housing Act (FEHA) and related statutes.
4. **PROCEDURES:**

A. Contacting the Communication Center:

The Communication Center can be reached by calling the toll-free telephone number:

1-800-884-1684

Deaf or speech impaired individuals who wish to communicate via TTY can also call:

1-800-700-2320

B. Communication Center Operation:

The Communication Center is managed by a Consultant III, Supervisor, who is responsible for the following:

- 1) The computerized answering system, an automated attendant from which callers can obtain information about the Department by using a menu with a number of recorded options. These messages provide information about the services of the Department and also give referrals to other agencies (e.g., Division of Labor Standards Enforcement; Workers' Compensation, etc.). Callers may also receive Department publications and "right-to-sue" packages by leaving their name and address in a voice mail box.
- 2) The Communication Center Representatives, specially trained Office Technicians, who interview prospective complainants, screen callers for jurisdiction, set up intake appointments for the District Offices, mail confirmation letters and Pre-Complaint Questionnaires (PCQs) to persons for whom appointments have been made, and offer basic technical assistance including referral to appropriate agencies.
- 3) Journey level staff who provide more complex technical assistance to employers, attorneys, and the public regarding the application of the FEHA and related statutes.

C. Scheduling of Intake Appointments:

- 1) The Communication Center staff:
 - a) Performs the initial screening of employment, Unruh Civil Rights Act and Ralph Civil Rights Act complaints. Housing related callers are referred to the toll-free Housing Unit number (**1-800-233-3212**).
 - b) Schedules monthly intake appointment slots based on the information provided by the District Office. District Administrators determine the days intake will be scheduled and the number of Consultants assigned.
 - The "formula" for determining the number of intake slots per office is based on the premise that each assigned Consultant will be scheduled for intake four to five days a month and conduct six interviews per intake day. That number is then doubled to allow for an approximate 50% drop-out rate. Any modification to the time slots must be approved by the appropriate Regional Administrator

and thereafter faxed to the Communication Center Supervisor for entry.

- For modifications that would require a deletion of an intake day, for which complainants have already been scheduled, it will be the District Office's responsibility to contact each complainant and reschedule his/her appointment. District Office staff should contact the Communication Center Supervisor immediately once this occurs in order to coordinate the modification requested.
 - c) Schedules and enters appointments in the Computer Appointment Program, to include the complainant's name, address, telephone number, and any special notes (e.g., language considerations, statute considerations, etc.).
 - d) Mails the Pre-Complaint Questionnaire - Employment to all persons who have been scheduled for an appointment accompanied by a letter confirming the appointment and providing information about the interview process.
- 2) District Office staff will:
- a) Print, prior to the intake day, the computer-generated list of all appointments for that day.
 - b) Pull, on intake day, all PCQ's for telephone appointments for that day for Consultants assigned to intake.
 - c) Check off the name of complainants on the computer-generated appointment list as they arrive for their appointment.
 - d) Enter into the appointment system any individual added to the intake schedule who was not screened by the Communication Center (e.g., statute of limitations concerns, walk-ins, etc.). This will ensure that the volume of intake interviews conducted by Consultants is reported accurately. **[NOTE: This is also described below.]**

- e) After intake is completed, note on the appointment system those individuals who appeared for appointments, whether a complaint was taken and/or whether the person took a right-to-sue package *prior* to being interviewed.

D. Telephone Interviews:

- 1) The Communication Center staff may offer a telephone intake interview if an office visit would represent a hardship to a prospective complainant. In most circumstances, the prospective complainant is expected to raise the issues which would lead to the offer of a telephone interview. Normally, a telephone interview will only be suggested if the caller requests an alternative to appearing in the District Office based on the following types of hardships:
 - a) **Distance:** The prospective complainant would have to travel more than an hour to a DFEH District Office.
 - b) **Transportation:** Transportation (including public transportation) is not available to a prospective complainant.
 - c) **Disability:** The prospective complainant has a disability which makes travel difficult or painful.
 - d) **Financial Hardship:** The prospective complainant declares that he/she cannot afford to travel to a DFEH office.
- 2) Where the statute of limitations is not an issue, telephone appointments will be set at least two weeks in advance.
- 3) Communication Center staff will mail a "Pre-Complaint Questionnaire - Employment" and a return envelope addressed to the appropriate District Office to persons scheduled for telephone interviews. Complainants will be instructed to return these PCQ's to the District Office prior to the date of the telephone interview.

E. Scheduling of Individuals Who Have Non-Routine Employment Intake Interviews:

Individuals who have non-routine employment intake interviews (e.g., statute of limitations problems, Unruh Civil Rights Act complaints, Ralph Civil Rights Act complaints, etc.) will, in most cases, be referred directly to the District Offices for handling. District Office staff is responsible for entering on the appointment system the complainant's name, whether a complaint was taken, and/or whether a "right-to-sue" package was given to the complainant *prior* to the interview.

F. Scheduling of Individuals Who Appear at Offices Without Appointments:

- 1) In most instances, individuals appearing at the District Office for an intake interview without an appointment will be given an opportunity to call the Communication Center. This should occur only after a determination has been made that the prospective complaint is related to employment discrimination and that there is not a statute of limitations problem.
- 2) There may be instances where individuals appearing at a District Office for an intake interview without an appointment may need to be directly accommodated. Some of these examples include:
 - a) **Statute of limitations problems:** Individuals with such statutory problems should either be immediately interviewed, or given an appointment within the statutory time frame. Persons given an appointment must be advised of the statutory time limits.
 - b) **Retaliation complaints:** Immediate appointments should be made for individuals alleging retaliation for filing a DFEH complaint if the alleged retaliation occurred within 180 days of the filing of the previous formal complaint or within 180 days of the complainant's participation in an investigation.
 - c) **Unruh or Ralph Act cases:** District Offices should schedule appointments for Unruh Act cases. Immediate interviews should be conducted for Ralph Act complainants.
 - d) **Hardship cases:** Individuals for whom returning to the District Office will represent an actual hardship should be accommodated if at all possible.
 - e) In most instances where a prospective employment complainant without an appointment is present on a group intake day and can be accommodated because scheduled complainants have not appeared, he/she should be interviewed at that time.

G. Rescheduling Appointments:

- 1) Individuals who contact the District Office to change their appointment should be rescheduled by District Office staff instead of routing the person back to the Communication Center.
- 2) Similarly, individuals who have gone through the group intake process and later wish to present additional information which would impact a decision to accept their case should be scheduled by the District Office.

5. APPROVAL:

Nancy C. Gutierrez, Director

Date